

*Healthy People. Healthy Communities.*

Department of Public Health & Human Services

Presentation to the 2013 Health and Human Services
Joint Appropriation Subcommittee

MANAGEMENT AND FAIR HEARINGS PROGRAM

Operations Services Branch
Department of Public Health and Human Services

Reference:

Legislative Fiscal Division Budget Analysis, Section B, Pages B-77 to B-79

CONTACT INFORMATION

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OVERVIEW

The Management and Fair Hearings program (MFH) is responsible for oversight, management and support of the Operations Services Branch of the Department, and for providing for fair hearings for many of the department's programs.

The Operations Services Branch supports the activities of the department in the areas of accounting, budgeting, economic analysis and projections, technology services, quality assurance and auditing, and fair hearings for clients. The Branch Manager, located in the Management and Fair Hearings Program, manages and directs the activities of the Operations Services Branch, which provides leadership for the department's implementation and operation of programs and services for Montanans.

The divisions within the branch are:

- Management and Fair Hearings;
- Business and Financial Services Division;
- Technology Services Division; and
- Quality Assurance Division.

SUMMARY OF MAJOR FUNCTIONS

The Operations Services Branch assists the Department with best business practices to provide the right services to the right people at the right time, by making effective use of resources in determining program eligibility; making payments; budgeting, accounting and reporting on cost of services; conducting oversight; analyzing participation in department programs within the context of state and national economic trends; and offering impartial review of department decisions.

Management and Fair Hearings (MFH) is made up of

- The Operations Services Branch Manager, who provides leadership for the department's implementation and operation of programs and services for Montanans.
- An accounting and budget unit that supports budget analysis and financial projections, purchasing, and federal reporting for the branch.
- An analysis and projections unit that maintains and analyzes data regarding participation in department programs, economic trends and emerging federal requirements, and producing caseload projections for major department programs including Medicaid.
- The Office of Fair Hearings that provides impartial administrative hearings for individuals or entities who have been impacted by a program administered by the Department.

The Office of Fair Hearings provides an avenue for citizens served by the department to appeal department decisions by giving them an opportunity to tell their side of the story. This is accomplished through the provision of impartial administrative hearings. Hearings officers adjudicate a wide range of department-related issues; however, the Office of Fair Hearings does not have jurisdiction over issues determined by the Child Support Enforcement Division. Written decisions are binding unless appealed to the state Board of Public Assistance, the Department Director, or a District Court. Issues include:

- Eligibility and service issues for public assistance programs;
- Licensing and certification issues;
- Ability to pay for care in state facilities;
- Denial of admission to or discharge from state facilities and long-term care facilities;
- Substantiation of child abuse and neglect; and
- Eligibility for vocational rehabilitation services.

The division budget for the 2014-2015 biennium is about \$2.0 million with 58.16% of the of the funding from federal sources, 39.37% from the state general fund, and 2.48% from state special revenue funds.

Statutory authority is in Title 17 and Title 40, MCA, and Title IV of the Social Security Act, Section 06, P.L. 96-265.

HIGHLIGHTS AND ACCOMPLISHMENTS DURING THE 2013 BIENNIUM:

During the 2013 biennium, the MFH Program has worked closely with department leadership in analyzing, designing improvements, implementing and evaluating existing programs as well as new initiatives. The branch has provided leadership to the department in developing and sustaining effective business processes and maintaining high standards of program operations. Leadership within the branch – the branch manager, administrators and bureau chiefs – have obtained and managed office space and vehicle needs of the department, coordinated performance and financial audit work, and initiated and supported management processes for program operation including eligibility determination systems, budget analysis and reporting systems, payment systems, and procurement and contracting systems.

The Office of Fair Hearings receives on average 1,400 to 1,600 requests for fair hearings each year from citizens appealing adverse decisions. These are processed by a staff of 6.00 FTE. For fiscal year 2012, 1,619 hearing requests were received. Half were withdrawn or resolved at Administrative Review (AR), and half received hearing decisions and final orders, with a 97% timely percentage. Another 8 Informal Dispute Resolutions (IDR) were received in fiscal year 2012; of these, four were withdrawn or denied, four opinions were issued and one was pending at the end of year, and has since been closed.

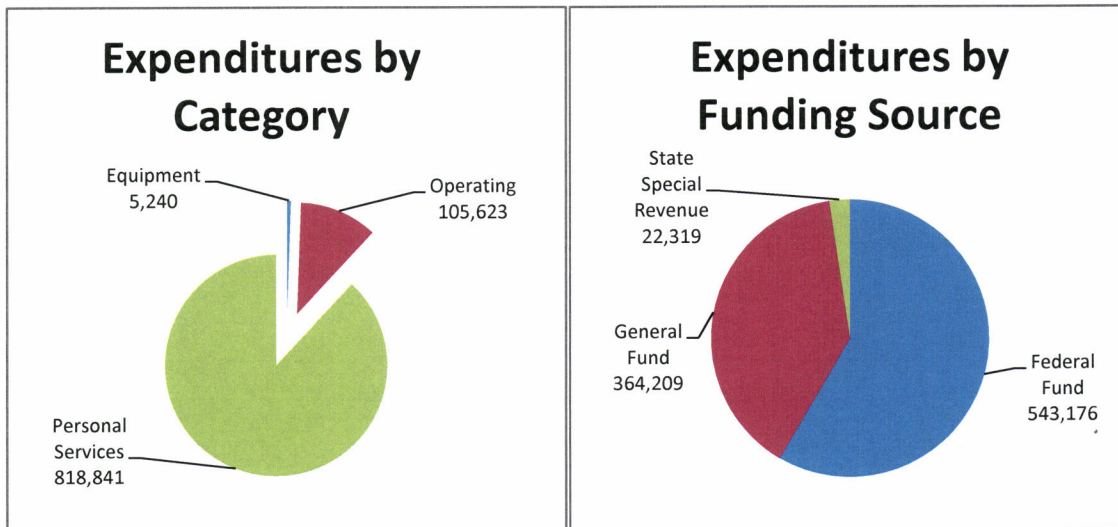
2015 BIENNIUM GOALS AND OBJECTIVES

Department of Public Health and Human Services Division Name	
Goals and Objectives for the 2015 Biennium Submitted September 2012	
Goal: Manage the Operations Branch of the Department by providing, maintaining and supporting systems and processes of the Department in the areas of financial, budget, and technology management; quality assurance; and fair hearings.	
Objective	Measures
Continuously improve systems and processes of the Department through the work of the divisions in the Operations Branch.	<ul style="list-style-type: none">The objective is measured by achieving the goals and objectives of the divisions within the Operations Branch: Business and Financial Services Division, Technology Services Division, and Quality Assurance Division.

FUNDING AND FTE INFORMATION

	2012 Actual Expenditures	FY 2014 Request	FY 2015 Request
Management and Fair Hearings			
FTE	12.00	12.00	12.00
Personal Services	818,841	906,823	906,604
Operating	105,623	109,000	108,777
Equipment	5,240	5,240	5,240
Grants	0	0	0
Benefits & Claims	0	0	0
Debt Services	0	0	0
Total Request	929,704	1,021,063	1,020,621
General Fund	364,209	401,954	401,744
State Special Fund	22,319	25,286	25,261
Federal Fund	543,176	593,823	593,616
Total Request	929,704	1,021,063	1,020,621

THE FOLLOWING FIGURES PROVIDE FUNDING AND EXPENDITURE INFORMATION FOR FY 2012 FOR MANAGEMENT AND FAIR HEARINGS PROGRAM



DECISION PACKAGES (SEE LFD BUDGET ANALYSIS, PAGES B-77 TO B-79)

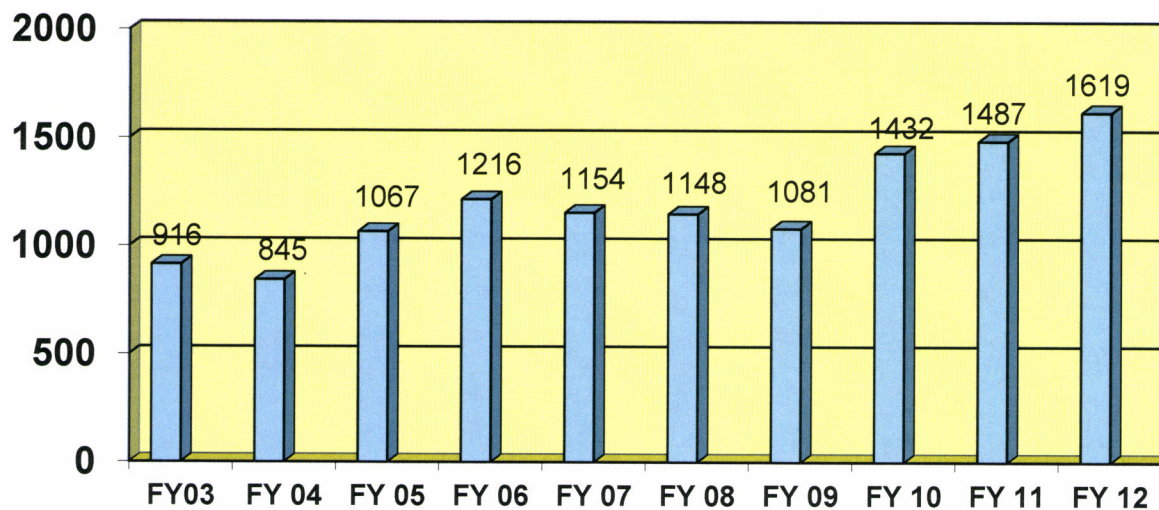
Management and Fair Hearings does not have any decision packages for legislative consideration.

LEGISLATION

Management and Fair Hearings does not have any legislation for consideration.

OFFICE OF FAIR HEARINGS
FY 2012 DATA INDICATORS REPORT
 As of June 30, 2012

Fair Hearing Requests



Fair Hearing Inventory

Based on fiscal year the Request for Hearing was received

FY	Hearing Requests	Requests Withdrawn Or Resolved at AR	Hearing Decisions and Final Orders	Hearings Pending	Timely Decisions and Orders	Percent Timely
2003	916	416	500	0	382	76.4%
2004	845	431	414	0	326	78.7%
2005	1067	586	481	0	398	82.7%
2006	1216	628	588	0	536	91.1%
2007	1154	578	576	0	561	97.3%
2008	1148	604	544	0	530	97.4%
2009	1081	617	463	1	452	97.6%
2010	1432	706	726	0	697	96.0%
2011	1487	800	685	2	669	97.6%
2012	1619	819	585	215	568	97.0%

Informal Dispute Resolutions (IDR) Inventory

Based on fiscal year the IDR Request was received

FY	IDR Requests	IDRs Withdrawn or Denied	IDR Opinions	IDRs Pending	Timely Opinions	Percent Timely
2004	7	1	6	0	6	100%
2005	32	12	20	0	4	20%
2006	20	10	10	0	3	30%
2007	24	8	16	0	15	94%
2008	18	11	7	0	5	71%
2009	15	4	11	0	7	64%
2010	20	9	11	0	10	91%
2011	15	3	12	0	12	100%
2012	8	4	3	1	2	66%

Hearing Decisions & Final Orders Appealed

Based on fiscal year the OFH Order closed the case

FY	OFH Decisions and Final Orders	Bd Public Assistance mod-remd-revd OFH decisions appealed	District Court overturned / Bd. Public Assistance decisions appealed	Director or District Court overturned / OFH or Director's decisions appealed
2003	531	8 / 18	1 / 2	0 / 1
2004	377	2 / 15	0 / 2	0 / 3
2005	433	3 / 15	0 / 0	0 / 0
2006	585	0 / 23	0 / 2	0 / 1
2007	619	2 / 25	0 / 2	0 / 0
2008	576	1 / 6	0 / 0	0 / 0
2009	478	2 / 20	0 / 1	0 / 1
2010	672	6 / 27	0 / 0	0 / 0
2011	714	8 / 26	0 / 0	0 / 0
2012	677	5 / 30	0 / 3	0 / 6